

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Oct 03, 2024

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

LINDSEY S.,

Plaintiff,

v.

MARTIN O'MALLEY,
COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 2:24-CV-00253-ACE

ORDER GRANTING DEFENDANT'S
MOTION FOR CHANGE OF VENUE

ECF No. 10

BEFORE THE COURT is Defendant's motion for a change of venue pursuant to Rule 12(b)(3) of the Federal Rules of Civil Procedure ("improper venue"). ECF No. 10. Plaintiff appears *pro se*; Defendant is represented by Angela Thornton-Millard.

Plaintiff brought this action in the Eastern District of Washington pursuant to section 405(g) of the Social Security Act on July 25, 2024. ECF No. 1. However, the proper venue in this case is the judicial district in which Plaintiff resides. *See* 28 U.S.C. § 1391(e)(1); 42 U.S.C. 405(g). Because Plaintiff is a resident of Denver, Colorado, venue is improper in the Eastern District of Washington.

Accordingly, **IT IS HEREBY ORDERED** as follows:

1. Defendant's Motion for Change of Venue, **ECF No. 10**, is **GRANTED**.

1 2. The District Court Executive shall **TRANSFER** this action to the
2 United States District Court for the District of Colorado.

3 **IT IS SO ORDERED.** The District Court Executive is directed to file this
4 Order and provide a copy to *pro se* Plaintiff. The District Court Executive is
5 further directed to forward this file, with a copy of this Order, to the Clerk of the
6 United States District Court for the District of Colorado and **CLOSE THE FILE**
7 in this district.

8 DATED October 3, 2024.

A handwritten signature in blue ink, reading "Alexander C. Ekstrom", is written over a horizontal line.

ALEXANDER C. EKSTROM

UNITED STATES MAGISTRATE JUDGE